



DT07 Rec'd PCT/PTO 1 6 DEC 2004
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PATENT
Customer No. 22,852
Attorney Docket No. 05394.0021

in the united states patent and trademark office

In re Application of:)	
)	
GROSJEAN-COURNOYER et al.)	Group Art Unit: Not assigned
)	
Application No.: 10/507,416)	Examiner: Not assigned
)	
Filed: September 13, 2004)	
)	
For: MUTAGENESIS OF)	Confirmation No.: Not assigned
ASPERGILLUS FUNGI AND)	
IDENTIFICATION OF GENES)	
ESSENTIAL FOR GROWTH)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**SECOND SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Supplemental Information Disclosure Statement supplements the Information Disclosure Statement filed on December 9, 2004, and is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 16, 2004

By: 

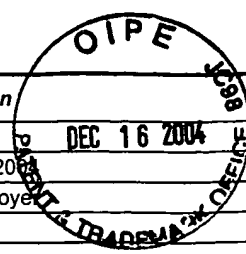
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IDS Form PTO/SB/08: Substitute Form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/507,416
				Filing Date	September 13, 2003
				First Named Inventor	Grosjean-Cournoye
				Art Unit	Not assigned
				Examiner Name	Not assigned
Sheet	1	of	1	Attorney Docket Number	05394.0021-00000



U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials [*]	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ⁱⁱ (if known)			

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials [*]	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ^{vi}
		Country Code ⁱⁱⁱ Number ^{iv} Kind Code ^v (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials [*]	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		Walsh et al., New targets and delivery systems for antifungal therapy, Medical Mycology (2000) Vol. 38, Supplement 1, pp. 335-347	
		Brown et al.; Insertional mutagenesis of <i>Aspergillus fumigatus</i> , Mol. Gen. Genet. (1998) Vol. 259, pp. 327-335	
		Langin et al.; The transposable element <i>impala</i> , a fungal member of the Tc1-mariner superfamily, Mol. Gen. Genet. (1995) Vol. 246, pp. 19-28	
		Hua-Van et al.; Transposition of autonomous and engineered <i>impala</i> transposons in <i>Fusarium oxysporum</i> and a related species; Mol. Gen. Genet. (2001) Vol. 264, pp. 724-731	
		Hastie, A.C.; Benlate-induced Instability of <i>Aspergillus</i> diploids; Nature, (May 1970) Vol. 226 page 771	
		Langfelder et al.; Identification of a polyketide synthase gene (pksP) of <i>Aspergillus fumigatus</i> involved in conidial pigment biosynthesis and virulence; Med. Microbiol. Immunol. (1998) vol. 187, pp. 79-89	
		d'Enfert et al., Transformation System of <i>Aspergillus fumigatus</i> , Contrib. Microbiol. Basel, Karger (1999) Vol. 2, pp. 149-166	
		A. John Clutterbuck, Sexual and parasexual genetics of <i>Aspergillus</i> species; Chapter 1, pp. 3-18	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.